

JAN 24 2013

A BILL FOR AN ACT

RELATING TO IRRIGATION WATER DEVELOPMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. In 1987, the legislature determined that the
2 development of irrigation was necessary for the development of
3 agriculture in the State and enacted chapter 167, Hawaii Revised
4 Statutes. Since that time, the agricultural resource management
5 division has grown in leaps and bounds. Where once the division
6 dealt with \$2,000,000 in projects, it now must juggle over
7 \$100,000,000 in projects.

8 Furthermore, in 2003, through Act 90, the groundwork for
9 the non-agricultural park lands program was created that would
10 make the agricultural resource management division the largest
11 land program within the department of agriculture. However,
12 this growth in work volume and responsibility has not been
13 matched by an increase in the necessary staffing. The
14 agricultural resource management division has been forced to
15 take on more responsibility with limited staffing and resources.

16 The purpose of this Act is to create the management
17 framework necessary to oversee the agricultural resource

1 management division so that it can be expanded to meet the
2 growing responsibilities that the division faces.

3 SECTION 2. Section 167-3, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[f]§167-3 [f] **Engineering program** [~~manager.~~] administrator.

6 The board of agriculture shall appoint a registered professional
7 engineer who shall act as engineering program [~~manager~~]
8 administrator of the irrigation water development program and
9 have such qualifications as the board may deem necessary. The
10 appointment and removal of the engineering program [~~manager~~]
11 administrator shall be in accordance with chapter 76 and the
12 engineering program [~~manager~~] administrator shall perform duties
13 as set forth by the board."

14 SECTION 3. Section 167-19, Hawaii Revised Statutes, is
15 amended by amending subsection (a) to read as follows:

16 "(a) All irrigation projects established pursuant to this
17 chapter shall be administered by the board of agriculture. In
18 making the final determination to establish a project, the board
19 shall:

20 (1) Determine the proportion of acreage assessments to be
21 borne by the agricultural land and pasture land within
22 the project; and

1 (2) Have the engineering program [~~manager~~] administrator
2 prepare a map setting forth in detail the exterior
3 boundaries of the lands to be included within the
4 project and an acreage assessment roll listing all
5 known land occupiers whose lands are to be included
6 within the project. The proportion of acreage
7 assessments to be borne by pasture land, at the
8 discretion of the board, may be less than but not more
9 than the proportion to be borne by agricultural land,
10 in which event the agricultural land shall be first
11 served with water in times of drought or shortage of
12 supply. The proportions to be borne by agricultural
13 and pasture lands shall be certified by the board and
14 shall not be changed after final determination to
15 establish the project, except in conjunction with a
16 redefinition of the boundaries of or consolidation or
17 separation of the project, and then only in the manner
18 and within the limitations specified in conjunction
19 therewith.

20 The board shall determine and certify on or before June 30 of
21 each year the amount of acreage assessments necessary in that
22 fiscal year for the acquisition, construction, operation, and

1 maintenance of irrigation facilities for each project, and the
2 acreage of agricultural and pasture land of each land occupier
3 within the project. The department shall immediately notify the
4 land occupiers of the amounts assessed on the respective
5 properties and the payment due date."

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 

11

BY REQUEST

S.B. NO. 995

Report Title:

Irrigation Water Development

Description:

Allows for an engineering program administrator to oversee the responsibilities mandated by chapter 167, Hawaii Revised Statutes, for irrigation water development.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

JUSTIFICATION SHEET

DEPARTMENT: Agriculture

TITLE: A BILL FOR AN ACT RELATING TO IRRIGATION WATER DEVELOPMENT.

PURPOSE: Allows for an engineering program administrator to oversee the responsibilities of irrigation water development.

MEANS: Amend sections 167-3 and 167-19(a), Hawaii Revised Statutes.

JUSTIFICATION: The Agricultural Resource Management Division was created to develop irrigation systems that were seen as necessary in order to ensure the development of agriculture in the state. Since that time, the number of irrigation systems managed by the division has grown. Furthermore, in 2003, Act 90 laid the framework for the non-agricultural park lands program whereby public lands classified for agricultural use by the Department of Land and Natural Resources were to be transferred to and managed by the Department of Agriculture.

The increase in responsibilities and scope of the division are in line with other divisions within the Department of Agriculture and so changing the position title from manager to administrator is warranted.

Impact on the public: No major impact on the public.

Impact on the department and other agencies: Would change the engineering program manager position to the engineering program administrator position within the Agricultural Resources Management Division.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: AGR 141.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.